

REMARKS

Claims 1-60 are pending in the present application. Claims 1, 25, 27, 31, 33, 35, 37, 39-41, 43-45, 47-49, and 55 are independent claims. By this amendment, new claims 49-60 are added. Reconsideration in view of the above amendments and following remarks is respectfully solicited.

The Claims Define Patentable Subject Matter

The Office Action rejects claims 1-48 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,974,401 to Enomoto et al. (hereafter Enomoto). This rejection is respectfully traversed.

Applicants respectfully submit that Enomoto fails to teach or suggest each and every feature as set forth in the claimed invention.

In the present invention, a center server has a function of receiving print order data from customers, and a laboratory server has functions of storing image data of customers and printing images in response to the print order data received from the center server.

In contrast with the present invention, Enomoto merely teaches a digital print order and delivery method and system in which digital image data is input in a personal computer, the image data and print order data are sent to a center server, and the center server receives the image data and the print order data and makes prints from the image data in accordance with the print order data.

However, in contrast with the present invention, Enomoto fails to teach or suggest having both a center server and a laboratory server. In other words, Enomoto fails to disclose discrete functions of both a center server and a laboratory server.

In the present invention, the center server works as a server computer for performing the central management of the image data, and the laboratory server works as a so-called "printer server" installed in an individual laboratory, such as an over-the-counter minilab, for example.

Enomoto fails to teach or suggest the structures and functions of the two individual servers (i.e., the center server and laboratory server) as set forth in the present invention.

According to MPEP §2131, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art

reference." *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ...claims." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913 (Fed. Cir. 1989). The elements must be arranged as required by the claims, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Applicants respectfully submit that the Office Action has failed to establish the required *prima facie* case of anticipation because the cited reference, Enomoto, fails to teach or suggest each and every feature as set forth in the claimed invention.

Applicants respectfully submit that independent claims 1, 25, 27, 31, 32, 33, 34, 35, 37, 39-45, 47-49 and 55 are allowable over Enomoto for at least the reasons noted above.

As for each of the dependent claims not particularly discussed above, these claims are also allowable for at least the reasons set forth above regarding their corresponding independent claims, and/or for the further features claimed therein.

Accordingly, withdrawal of the rejection of claims 1-48 under 35 U.S.C. §102(e) is respectfully solicited.

Conclusion

In view of the foregoing, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Applicants respectfully petition under the provisions of 37 C.F.R. §1.136(a) and §1.17 for a one (1) month extension of time in which to respond to the Examiner's Office Action. The appropriate Extension of Time Fee is attached hereto.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Carolyn T. Baumgardner (Reg. No. 41,345) at (703) 205-8000 to schedule a Personal Interview.

Respectfully submitted,

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